

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, California 95814



February 17, 2006

ALL-COUNTY INFORMATION NOTICE NO. I-09-06

TO: ALL COUNTY WELFARE DIRECTORS  
 ALL COUNTY CIVIL RIGHTS COORDINATORS  
 ALL CalWORKs PROGRAM SPECIALISTS

REASON FOR THIS TRANSMITTAL

- State Law Change  
 Federal Law or Regulation Change  
 Court Order or Settlement Agreement  
 Clarification Requested by One or More Counties  
 Initiated by CDSS

**SUBJECT:** USE OF CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)  
 TRANSLATED FORMS AND DOCUMENTATION OF SERVICES  
 PROVIDED TO NON-ENGLISH/LIMITED-ENGLISH-SPEAKING  
 APPLICANTS/RECIPIENTS AND DISABLED APPLICANTS/RECIPIENTS

REFERENCE: ALL COUNTY LETTER (ACL) 03-56

The purpose of this All-County Information Notice (ACIN) is to remind counties of their continued obligation to comply with CDSS regulations regarding provision of effective language services to all applicants/recipients in an individual's primary language. These requirements apply regardless of whether CDSS translated forms and notices are available through the counties' automated welfare eligibility systems, including but not limited to ISAWS, CalWIN, C-IV and LEADER. This ACIN also reminds counties of the requirement to document how services are provided for both non-English/limited-English-proficient, and disabled applicants/recipients.

1. Manual of Policies and Procedures (MPP) Section 21-115.2 states: "Forms and other written material required for the provision of aid or services shall be available and offered to the applicant/recipient in the *individual's primary language* when such forms and other written material are provided by CDSS" (emphasis added).

This means that if an individual has requested written communications in his or her primary language and CDSS has made a form or notice available to the counties in that language, then the county must provide the CDSS translation to the individual, even if the translation is not available through the county's automated welfare eligibility system.

Similarly, when a county receives approval from CDSS to use a “substitute permitted” form or notice and the county does not translate the substitute form into all the languages provided by CDSS, then the county must forgo the substitute form and provide the CDSS form in the individual’s primary language. In addition, if a translated form contains spaces in which the county is to insert information that is unique to the applicant/recipient, the inserted information must be in the primary language of the applicant/recipient.

The requirement to provide CDSS translated forms must be met, either by automated or manual means. Counties must utilize a manual workaround if their automated welfare systems are not fully programmed to meet State and Federal requirements regarding the provision of translated written materials.

When a county discovers or is informed that notices or forms are being incorrectly issued by the automated welfare systems in English, rather than the applicant’s/recipient’s primary language, the county must utilize manual means to issue notices and forms until such time that the county can verify that their automated system is issuing notices and forms in the appropriate language.

Counties are reminded that they must also use CDSS translated applications at outreach offices and when an applicant requests a mail-in application.

The CDSS translated forms may be obtained through Internet access by going to [http://www.dss.cahwnet.gov/cdssweb/FormsandPu\\_274.htm](http://www.dss.cahwnet.gov/cdssweb/FormsandPu_274.htm); translated forms should also be easily available to staff, either online or physically stocked at each facility. As new and revised translated forms and publications are posted on a monthly basis, counties should remind staff to check the above stated website on a regular basis for the newest list of forms and publications.

2. Manual of Policies and Procedures Section 21-201.211 states that counties are required to have the applicant/recipient self-declare his/her primary language. For purposes of provision of language services, “primary language” means the applicant’s/recipient’s preferred language for oral and written communication. Applicants/recipients may prefer a different language for oral and written communications.

Manual of Policies and Procedures Section 21-116 requires the applicant’s/recipient’s preferred language to be documented. This documentation is required in every case file, such as eligibility, welfare-to-work, and services, whether the case file is paper or automated, so that workers are aware of the language preference(s) and can provide effective language services.

Once the preferred language(s) for oral and written communications are known, the county is then required to document the following information or actions regarding language services in an applicant's/recipient's files:

- a. Applicant's/recipient's acceptance or refusal of written material available in his/her preferred language.
- b. How bilingual services are provided. If, for example, a bilingual staff person is used as an interpreter, it must be documented in the file for each occurrence when such interpretation was provided. If an interpreter other than a bilingual staff person is used, this must also be documented. Once the applicant/recipient has requested oral and written communications in a non-English language, the request also applies to subsequent communications as required under MPP Sections 21-115.1 (bilingual staffing and interpretive services) and 21-115.2 (written translations).
- c. Temporary use of a minor as an interpreter, and the extenuating circumstances requiring temporary use of the minor.
- d. That the county informed an applicant/recipient providing his or her own interpreter of potential problems for ineffective communication caused by using his or her own interpreter.
- e. Applicant's/recipient's consent to the release of information to the interpreter if the county used an interpreter other than a county employee or the applicant/recipient provided his or her own interpreter for oral communications with the county.

This documentation is reviewed when the CDSS Civil Rights Bureau conducts mandatory compliance reviews in each county. In addition, if an applicant/recipient later states that he or she did not receive appropriate language services, this documentation provides evidence that language services were provided in the applicant's/recipient's preferred language for oral communication and, if available, written communication, as required by Division 21.

3. Manual of Policies and Procedures Section 21-116.3 states: "Upon obtaining information that identifies an applicant/recipient as disabled, each County Welfare Department (CWD) shall ensure that the case record is also documented. The CWD shall document, in writing, an applicant's/recipient's request for auxiliary aids and services." Counties must have documentation that auxiliary aids and services were provided to a disabled applicant/recipient when requested, and this documentation must be easily accessed by the worker and by CDSS staff conducting Civil Rights compliance reviews.

This ACIN does not address all of the counties' obligations to provide effective services to non-English/limited-English-proficient and disabled applicants/recipients. Counties are encouraged to review Division 21 and their Annual Civil Rights plan to ensure that they are in compliance with all the provisions.

If you have questions about translated forms, notices, or materials, you may contact CDSS Language Services, at (916) 651-8876, or access the Language Services web page at [http://www.dss.cahwnet.gov/cdssweb/FormsandPu\\_274.htm](http://www.dss.cahwnet.gov/cdssweb/FormsandPu_274.htm). If you have questions regarding this letter, you may contact the CDSS Civil Rights Bureau, at (916) 654-2107 or via email at [crb@dss.ca.gov](mailto:crb@dss.ca.gov).

Sincerely,

***Original Document Signed By***

TOM LEE  
Acting Deputy Director  
Human Rights and Community Services Division